

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**CIVIL NO. 5:04CV167**

<b>ERIC LAWRENCE CALL,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>Vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>MARVIN POLK, Warden, Central</b>	)	
<b>Prison, Raleigh, North Carolina,</b>	)	
	)	
<b>Respondent.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Petitioner's motion for a certificate of appealability.

For the same reasons as set forth in the Memorandum of Opinion denying relief, the Court does not find the Petitioner has been denied a constitutional right or that he has raised issues over which reasonable jurists would debate or disagree.

**IT IS, THEREFORE, ORDERED** that the Petitioner's motion for a certificate of appealability is hereby **DENIED**.

Signed: December 28, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

